



# SYNOPSIS

House Bills and Joint Resolutions  
2014 Maryland General Assembly Session

**January 24, 2014**  
**Schedule 13**

---

**PLEASE NOTE:** February 7 – Bill introduction deadline.  
All bills must be given to the Chief Clerk by 5:00 P.M. on Thursday, February 6.  
As required by House Rule 32(b), bills introduced after this date will be referred to the House Rules and Executive Nominations Committee.

---

## **HOUSE BILLS INTRODUCED JANUARY 23, 2014**

### **HB 397 Delegate Simmons, et al**

#### **PEACE ORDERS AND PROTECTIVE ORDERS – CONSENT ORDERS – SHIELDING**

Authorizing a respondent who consents to the entry of a peace order or protective order to file a written request to shield court records relating to the peace order or protective order proceeding under specified circumstances; requiring the court, under specified circumstances, to order the shielding of all court records relating to a peace order or protective order proceeding if the respondent consents to the entry of the order; etc.

EFFECTIVE OCTOBER 1, 2014

CJ, § 3-1510 and FL, § 4-512 - amended

Assigned to: Judiciary

#### **Department of Legislative Services**

90 State Circle, Annapolis, Maryland 21401-1991

Baltimore Area: 410-946-5400 — Washington Area: 301-970-5400

Other Maryland Areas: 1-800-492-7122 — Maryland Relay Service: 1-800-735-2258

**HB 398 Delegate Murphy, et al****STATE BOARD OF PHARMACY – ELECTION OF OFFICERS**

Repealing the requirement that the election of a president, secretary, and treasurer of the State Board of Pharmacy be from among the pharmacist members of the Board.

EFFECTIVE OCTOBER 1, 2014

HO, § 12-203 - amended

Assigned to: Health and Government Operations

**HB 399 Delegate Murphy, et al****PUBLIC HEALTH – MEDICAL RECORDS CHARGES – MEDICAID ENROLLEES**

Prohibiting a health care provider from charging a person in interest or another authorized person who requests a copy of a medical record of an individual enrolled in the Maryland Medical Assistance Program a fee that exceeds \$20, adjusted annually for inflation in a specified manner.

EFFECTIVE OCTOBER 1, 2014

HG, § 4-304(c) - amended

Assigned to: Health and Government Operations

**HOUSE BILLS INTRODUCED JANUARY 24, 2014****HB 400 Delegate Oaks, et al****CREATION OF A STATE DEBT – BALTIMORE CITY – ORIANDA MANSION PRESERVATION**

Authorizing the creation of State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Trustees of the Baltimore Chesapeake Bay Outward Bound Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Orianda Mansion, located in Baltimore City; etc.

EFFECTIVE JUNE 1, 2014

Assigned to: Appropriations

**HB 401 Delegate Cullison****HEALTH OCCUPATIONS – CHIROPRACTORS, MASSAGE THERAPISTS, PHYSICAL THERAPISTS, AND PHYSICAL THERAPIST ASSISTANTS – CRIMINAL HISTORY RECORDS CHECKS REQUIRED**

Requiring applicants to the State Board of Chiropractic and Massage Therapy Examiners and the State Board of Physical Therapy Examiners to submit to a criminal history records check as a condition of licensure or registration; requiring the Boards to consider specified factors in determining whether to grant a license or registration on receipt of the criminal history record information; prohibiting the Boards from issuing a license or registration if the criminal history record information has not been received; etc.

EFFECTIVE OCTOBER 1, 2014

HO, Various Sections - added and amended

Assigned to: Health and Government Operations

**HB 402 Delegate Oaks, et al****HEALTH OCCUPATIONS – STATE BOARD OF NATUROPATHIC MEDICINE**

Establishing the State Board of Naturopathic Medicine; specifying the composition of the Board; specifying the term of a Board member; specifying the duties of the Board; establishing the State Board of Naturopathic Medicine Fund; requiring, beginning on January 1, 2016, specified individuals to have a specified license before practicing naturopathic medicine in the State; etc.

This bill requires a mandated appropriation in the annual budget bill.

EFFECTIVE OCTOBER 1, 2014

CJ, § 5-725, HO, §§ 7.5-101 through 7.5-702, and SG, § 8-403(b)(36) - added

Assigned to: Health and Government Operations

**HB 403     Delegate Cullison****STATE BOARD OF EXAMINERS FOR AUDIOLOGISTS, HEARING AID DISPENSERS, AND SPEECH–LANGUAGE PATHOLOGISTS – CEASE AND DESIST ORDERS AND INJUNCTIVE RELIEF**

Authorizing the State Board of Examiners for Audiologists, Hearing Aid Dispensers, and Speech–Language Pathologists to issue cease and desist orders or obtain injunctive relief for violations of specified provisions of law; authorizing an action to be maintained in the name of the State or the Board to enjoin specified unauthorized practice or conduct that is a ground for specified disciplinary action; etc.

EFFECTIVE OCTOBER 1, 2014

HO, § 2-312 - amended

Assigned to: Health and Government Operations

**HB 404     Delegate Rosenberg, et al****DEPARTMENT OF HEALTH AND MENTAL HYGIENE – STATE FACILITIES – CEMETERIES**

Requiring the State to maintain specified cemeteries in accordance with a specified definition; making provisions of State law that apply to property of cemeteries also apply to a cemetery owned by the State and located on the grounds of a State facility; requiring the Department of Health and Mental Hygiene to report on the implementation of specified provisions to specified legislative committees; etc.

EFFECTIVE OCTOBER 1, 2014

SF, § 10-309 - amended

Assigned to: Health and Government Operations

**HB 405     Delegate Cardin, et al****ENVIRONMENT – SALES OF NONBIODEGRADABLE CIGARETTES – PROHIBITED**

Prohibiting a person from offering for sale or selling a cigarette in the State unless the cigarette, including the filter, is biodegradable; establishing that a person that violates the Act is subject to a civil penalty not exceeding \$200 for each package of cigarettes sold or offered for sale; authorizing the Attorney General to bring an action to enjoin an act in violation of the Act and to recover specified civil penalties; and providing for a delayed effective date.

EFFECTIVE JANUARY 1, 2015

EN, § 6-1501 - added

Assigned to: Economic Matters

**HB 406 Delegate Beitzel, et al****ALLEGANY COUNTY, GARRETT COUNTY, AND WASHINGTON COUNTY – SUNDAY HUNTING**

Authorizing the Department of Natural Resources to allow a person in Allegany County, Garrett County, or Washington County to hunt any game mammal on a Sunday on specified public and private land during the open season for that game mammal.

EFFECTIVE JULY 1, 2014

NR, § 10-410(a) - amended

Assigned to: Environmental Matters

**HB 407 Delegate Dumais, et al****JUVENILE LAW – PROHIBITION AGAINST CONTINUED DETENTION**

Prohibiting the continued detention, beyond emergency detention, of a child under the age of 12 years except under specified circumstances.

EFFECTIVE OCTOBER 1, 2014

CJ, § 3-8A-15 - amended

Assigned to: Judiciary

**HB 408 Delegates S. Robinson and Barkley****REAL PROPERTY – BREACH OF LEASE – NOTICE REQUIREMENTS**

Authorizing the parties to a nonresidential lease to agree in writing to lengthen, shorten, or waive specified periods of notice that the tenant is in violation of the lease and the landlord desires to repossess the leased premises.

EFFECTIVE OCTOBER 1, 2014

RP, § 8-402.1 - amended

Assigned to: Environmental Matters

**HB 409 Delegate S. Robinson, et al****ENVIRONMENT – HYDRAULIC FRACTURING WASTEWATER – PROHIBITED ACTS**

Prohibiting a person from storing, treating, discharging, or disposing of, in the State, wastewater resulting from hydraulic fracturing.

EFFECTIVE OCTOBER 1, 2014

EN, § 9-293 - added

Assigned to: Environmental Matters

**HB 410 Delegate Anderson, et al****CRIMINAL PROCEDURE – EXPUNGEMENT – MISDEMEANOR CONVICTIONS**

Authorizing a specified person to file a petition for expungement of a police, court, or other record if the person was convicted of a nonviolent misdemeanor and has never previously been convicted of a crime other than a nonincarcerable traffic violation; specifying the time periods within which a petition for expungement based on a conviction of a nonviolent misdemeanor may not be filed; etc.

EFFECTIVE OCTOBER 1, 2014

CP, § 10-105 - amended

Assigned to: Judiciary

**HB 411 Delegate K. Kelly, et al****WORKERS' COMPENSATION – HEART DISEASE AND HYPERTENSION PRESUMPTION – STATE CORRECTIONAL OFFICERS**

Extending the presumption of compensability under the workers' compensation law to include, under specified conditions, State correctional officers who suffer from heart disease or hypertension resulting in partial or total disability or death; requiring current State correctional officers to submit specified medical information to the Secretary of Public Safety and Correctional Services; allowing benefits under the Act to be added to retirement benefits subject to a specified limitation; etc.

EFFECTIVE OCTOBER 1, 2014

LE, §§ 9-503(b) and (e) and 9-628(a) - amended

Assigned to: Economic Matters

**HB 412 Delegates McMillan and Gilchrist****REAL PROPERTY – CONDOMINIUMS AND HOMEOWNERS ASSOCIATIONS – DISCLOSURES TO PURCHASERS ON RESALE OF UNIT OR LOT – LIMITATION ON FEES**

Limiting the amount of the fee that a condominium council of unit owners may charge a unit owner to furnish a certificate with the information necessary for the unit owner to comply with specified resale disclosure requirements; limiting the amount of the fee that a homeowners association or specified officers or agents may charge a lot owner for providing the information necessary to comply with specified resale disclosure requirements; etc.

EFFECTIVE OCTOBER 1, 2014

RP, §§ 11-135(c) and 11B-106 - amended

Assigned to: Environmental Matters

**HB 413 Delegate Luedtke, et al****SPECIAL EDUCATION – INDIVIDUALIZED EDUCATION PROGRAM PARENTAL NOTICE REQUIREMENTS AND SERVICE MODELS LIST**

Requiring the parents of a child attending their initial individualized education program evaluation meeting to be provided a specified verbal and written explanation of their rights and responsibilities and a program procedural safeguards notice and providing the right for the parents to request this information at any meeting thereafter; etc.

EFFECTIVE JULY 1, 2014

ED, § 8-405 - amended and § 8-418 - added

Assigned to: Ways and Means

**HB 414 Delegate Weir, et al****MARYLAND CONSOLIDATED CAPITAL BOND LOAN OF 2011 – BALTIMORE COUNTY – TODD’S INHERITANCE**

Amending the Maryland Consolidated Capital Bond Loan of 2011 to change the grantee of a grant for Todd’s Inheritance from the County Executive and County Council of Baltimore County to the Board of Trustees of the Todd’s Inheritance Historic Site, Inc.; etc.

EFFECTIVE JUNE 1, 2014

Chapter 396 of the Acts of 2011, § 1(3) Item ZA02(AD), as amended - amended

Assigned to: Appropriations

**HB 415 Delegate Cardin, et al****SALES AND USE TAX – AMMUNITION AND FIREARMS –  
DEVELOPMENTAL DISABILITIES FUNDING**

Distributing the revenue from the sales and use tax on ammunition and firearms to a specified fund used to pay for services for individuals with developmental disabilities; providing for the effective date of specified provisions of the Act; and providing for the termination of specified provisions of the Act.

CONTINGENT – EFFECTIVE JULY 1, 2014

HG, § 7-205(d)(1) - amended and TG, § 2-1302.2 - added and amended and § 2-1303 - amended

Assigned to: Ways and Means

**HB 416 Delegate Cardin, et al****COURTS – LIMITED IMMUNITY – ALCOHOL– OR DRUG–RELATED  
OVERDOSE INCIDENTS**

Providing a specified person who seeks medical assistance for a person experiencing an alcohol– or a drug–related overdose immunity from civil liability or criminal prosecution under specified circumstances; providing a specified person who seeks medical assistance for a person experiencing a specified overdose may not be detained on or prosecuted in connection with a specified warrant under specified circumstances; etc.

EFFECTIVE OCTOBER 1, 2014

CJ, § 5-642 - added

Assigned to: Judiciary

**HB 417 Delegate Cardin****BUSINESS REGULATION – COLLECTION AGENCY – DEFINITION**

Altering the definition of “collection agency” to make specified provisions of law relating to collection agencies applicable to a person who engages in passive debt collection; and defining the term “passive debt collection”.

EFFECTIVE OCTOBER 1, 2014

BR, § 7-101(c) - amended and § 7-101(h) - added

Assigned to: Economic Matters



**HB 418 Delegate Cardin, et al****PUBLIC FUNDING AND SMALL DONOR ACT FOR GENERAL ASSEMBLY ELECTIONS**

Establishing a system of public financing of campaigns for specified General Assembly candidates; requiring the State Board of Elections to administer the system; requiring the Comptroller to credit to the Fair Campaign Financing Fund money collected under provisions of the Act and to distribute public contributions to the campaign finance entities of specified candidates; specifying procedures, requirements, and conditions participating candidates must meet to receive a distribution from the Fund; etc.

**VARIOUS EFFECTIVE DATES**

EL, § 15-106 - repealed, §§ 13-235 and 15-103 - amended, and §§ 15.5-101 through 15.5-118 - added

Assigned to: Ways and Means

**HB 419 Charles County Delegation****CHARLES COUNTY – OFF-SALE ALCOHOLIC BEVERAGES LICENSES – POPULATION QUOTA IN SIXTH ELECTION DISTRICT**

Altering the resident population quota used to determine the number of off-sale alcoholic beverages licenses that the Charles County Board of License Commissioners may issue in the sixth election district of Charles County; etc.

**EFFECTIVE JULY 1, 2014**

Art. 2B, § 9-209(b) - amended

Assigned to: Economic Matters

**HB 420 Delegate Myers****SIDELING HILL AND SIDELING HILL WILDLIFE MANAGEMENT AREA – OFF-ROAD AND OFF-HIGHWAY RECREATIONAL VEHICLES – PROHIBITION**

Prohibiting an off-road vehicle from being used in the Sideling Hill Wildlife Management Area; and prohibiting an off-highway recreational vehicle from being used on State-owned property located in Sideling Hill in Washington County.

**EFFECTIVE OCTOBER 1, 2014**

NR, § 5-209(b) - amended and TR, § 21-104.2 - added

Assigned to: Environmental Matters

**HB 421 Delegate Olszewski, et al****BALTIMORE COUNTY – ALCOHOLIC BEVERAGES – REFILLABLE CONTAINER PERMITS**

Creating in Baltimore County a refillable container permit; authorizing the Board of License Commissioners to issue the permit to a holder of a Class A license, a Class B license, or a Class D license; specifying that a holder of the permit may sell draft beer for consumption off the licensed premises in a specified refillable container; requiring a refillable container to meet specified requirements; requiring an applicant for the permit to complete a form and pay a fee; etc.

EFFECTIVE JULY 1, 2014

Art. 2B, § 8-204.10 - added

Assigned to: Ways and Means

**HB 422 Delegate Hixson, et al****DOGS – DISCRIMINATION BASED ON BREED, TYPE, OR HERITAGE – PROHIBITED**

Prohibiting a dog from being determined to be potentially dangerous based solely on the breed, type, or heritage of the dog; prohibiting a county from enacting a local law and a municipality from adopting an ordinance prohibiting a person from owning, keeping, or harboring a dog of a specified breed, type, or heritage or take specified other actions based on the breed, type, or heritage of the dog; etc.

EFFECTIVE OCTOBER 1, 2014

CR, § 10-619 - amended and LG, §§ 5-107 and 13-102.1 and RP, § 14-133 - added

Assigned to: Judiciary

**HB 423 Delegate Ready, et al****EDUCATION – IMPLEMENTATION OF NEXT GENERATION SCIENCE STANDARDS – PROHIBITION**

Prohibiting the State Board of Education and specified county boards of education from establishing specified educational policies, curriculum, and guidelines that include or are based on the Next Generation Science Standards; and requiring the State Board to take specified steps to rescind the adoption by the State Board of the Next Generation Science Standards on or before July 1, 2014.

EFFECTIVE JUNE 1, 2014

ED, §§ 2-205.1 and 4-111.4 - added

Assigned to: Ways and Means

**HB 424 Delegate Gilchrist, et al****INCOME TAX – SUBTRACTION MODIFICATION FOR RETIREMENT INCOME**

Including income from specified retirement plans within a specified subtraction modification for retirement income if the income is from the tax-free rollover of the distribution from an employee retirement system.

EFFECTIVE JULY 1, 2014

TG, § 10-209 - amended

Assigned to: Ways and Means

**HB 425 Delegate Oaks, et al****PUBLIC SAFETY – LOYOLA UNIVERSITY AND THE JOHNS HOPKINS UNIVERSITY POLICE FORCES**

Including a member of the police force of Loyola University and the police force of The Johns Hopkins University in the definition of the term “police officer” in connection with provisions of law relating to the authority to make arrests and to the Maryland Police Training Commission.

EFFECTIVE OCTOBER 1, 2014

CP and PS, Various Sections - amended and CP, § 2-101(c)(26) and (27) and PS, § 3-201(e)(1)(ii)22. and 23. - added

Assigned to: Judiciary

**HB 426 Delegate Cardin, et al****EDUCATION – CONCUSSION IMPACT SENSOR PILOT PROGRAM**

Establishing the Concussion Impact Sensor Pilot Program; requiring the State Department of Education to develop and implement the Program, in collaboration with specified entities; requiring specified circumstances to be met before the Program can be implemented; if the program can be implemented, requiring each board of education to choose one high school football team to participate in the Program and to provide specified team members with a concussion impact sensor; etc.

EFFECTIVE JULY 1, 2014

ED, § 7-433.1 - added

Assigned to: Ways and Means and Health and Government Operations

**HB 427 Delegate Hixson, et al****EDUCATION – MARYLAND SUDDEN CARDIAC ARREST PREVENTION ACT**

Requiring the State Department of Education, in collaboration with specified entities, to develop policies and to implement a program to provide awareness to coaches, school personnel, students, and parents or guardians of students on the risk of sudden cardiac arrest; requiring a county board of education to provide information and a notice to specified students and parents or guardians; requiring a student and parent or guardian to sign a specified statement; etc.

EFFECTIVE JULY 1, 2014

ED, § 7-436 - added and HG, § 14-501 - amended

Assigned to: Ways and Means and Health and Government Operations

**HB 428 Delegate Luedtke****CHILDREN – MARYLAND INFANTS AND TODDLERS PROGRAM – ELIGIBILITY**

Altering the eligibility requirements for the Maryland Infants and Toddlers Program by allowing a child to participate until the beginning of the school year after the child turns 4 years old.

EFFECTIVE OCTOBER 1, 2014

ED, § 8-416(a) - amended

Assigned to: Ways and Means

**HB 429 Delegate Hogan, et al****SALES AND USE TAX – TAX-FREE WEEK – SCHOOL SUPPLIES**

Altering a specified sales and use tax exemption to include any school supply with a taxable price of \$100 or less during a designated sales tax-free period for back-to-school shopping, subject to specified limitations; etc.

EFFECTIVE JULY 1, 2014

TG, § 11-228 - amended

Assigned to: Ways and Means

**HB 430 Delegate Cardin****COMMERCIAL LAW – PATENT INFRINGEMENT – ASSERTIONS  
MADE IN BAD FAITH**

Prohibiting a person from making specified assertions of patent infringement in bad faith; authorizing a court to consider specified factors as evidence of whether a person has made an assertion of patent infringement in bad faith or in good faith; authorizing specified individuals to bring an action in a specified court to recover for injuries or losses sustained as a result of a violation of the Act; authorizing a court to award damages and remedies under specified circumstances; etc.

EFFECTIVE OCTOBER 1, 2014

CL, §§ 11-1601 through 11-1604 - added

Assigned to: Economic Matters

**HB 431 Delegate Hogan, et al****INCOME TAX SUBTRACTION MODIFICATION – LEAD HAZARD  
REDUCTION PROJECTS**

Allowing a subtraction modification under the State income tax under specified circumstances for costs incurred by an individual for an approved lead hazard reduction project for qualifying property; providing for the calculation of the subtraction modification; providing for the submission of proposals for lead hazard reduction projects to the Department of Housing and Community Development for approval; applying the Act to tax years beginning after December 31, 2013; etc.

EFFECTIVE JULY 1, 2014

TG, § 10-210.2 - added

Assigned to: Ways and Means and Environmental Matters